APPLICATION 15376, PERMIT 11970

PERMIT AMENDED

SEE WR ORDER 95-6

ISSUED JUNE 8, 1995

P. 11970

SEE ORDER: WR 92-02, DATED MARCH 19, 1992

P.11970

SEE WR 91-01 dated January 10, 1991

ALSO SEE WR 91-03 dated April 1, 1991

026/1 d

PERMIT NO. 11970

APPLICATION NO. 15376

SEE DECISION 1485 ISSUED 8-16-78
+ Order 78-17, 10-13-78

P 11975

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 5625 and 26 others (as listed on attached sheet) PERMIT 12720 and 26 others LICENSE

ORDER ALLOWING EXTENSION OF TIME TO COMPLY WITH SUISUN MARSH STANDARDS

WHEREAS:

1. Order Condition 7(b) of Decision 1485 requires the permittee to meet specific water quality standards for full protection of the Suisun Marsh by October 1, 1984, as set forth in Table II of the Decision.

2. A petition for an extension of time to comply with the water quality standards for full protection of Suisun Marsh set forth in Order Condition 7(b) and Table II of Decision 1485 was filed by the U. S. Bureau of Reclamation on August 6, 1985.

3. The permittee has proceeded with diligence and good cause has been shown for the extension of time.

NOW THEREFORE, IT IS ORDERED THAT:

1. Order Condition 7(b) of Decision 1485 is superseded in accordance with Order Conditions 2 and 3 below.

2. Permittee shall comply with the water quality standards for full protection of Suisun Marsh set forth in Order Condition 7(a) of Decision 1485 (hereinafter termed standards) in accordance with the following schedule:

   (a) Permittee shall meet the standards by October 1, 1988 at the following locations:

      (1) Sacramento River at Collinsville Road in Collinsville (C-2)
      (2) Montezuma Slough at National Steel (three miles south of Mien's Landing) (S-64)
      (3) Montezuma Slough near Beldon Landing (0.35 miles east of Grizzly Island Bridge) (S-49)

   (b) Permittee shall either meet the standards by October 1, 1991 at:

      (1) Chadbourne Slough at Chadbourne Road (S-21), and
      (2) Cordelia Slough, 500 feet west of the Southern Pacific crossing at Cygnus (S-33),

      or meet the standards by October 1, 1993 at:

      (1) Chadbourne Slough at Chadbourne Road (S-21), and
      (2) Cordelia Slough at Cordelia-Goodyear Ditch (S-97)

   (c) Permittee shall either meet the standards by October 1, 1991 at Goodyear Slough at the Morrow Island Clubhouse (S-35), or meet the standards by October 1, 1994 at Goodyear Slough, 1.3 miles south of Morrow Island Ditch (S-75)

(d) Permittee shall meet the standards by October 1, 1997 at:

(1) Suisun Slough 300 feet south of Volanti Slough (S-42), and
(2) Water supply intake locations for waterfowl management areas on Van Sickle Island and Chipps Island. (0400700)

3. Table II of Decision 1485 is amended on page 39 to replace the Suisun Marsh electrical conductivity standards that became effective October 1, 1984 with the following:

BENEFICIAL USE PROTECTED and LOCATION	PARAMETER	DESCRIPTION	YEAR TYPE	VALUES	
				Month	EC in mmhos
FISH AND WILDLIFE					
• SUISUN MARSH					
– To become effective on October 1, 1988 at: Sacramento River at Collinsville Road in Collinsville (C–2)	Electrical Conductivity (EC)	The monthly average of both daily high tide values not to exceed the values shown (or demonstrate that equivalent or better protection will be provided at the location)	All	Oct.	19.0
				Nov.	15.5
				Dec.	15.5
				Jan.	12.5
				Feb.	8.0
				Mar.	8.0
				Apr.	11.0
				May	11.0
Montezuma Slough at National Steel (3 miles south of Mein's Landing) (S–64)					
Montezuma Slough near Beldon Landing (0.35 miles east of Grizzly Island Bridge) (S–49)					
– To become effective either on October 1, 1991 at: Chadbourne Slough at Chadbourne Road (S–21) and					
Cordelia Slough, 500 feet west of the Southern Pacific crossing at Cygnus (S–33);					
or on October 1, 1993 at: Chadbourne Slough at Chadbourne Road (S–21) and					
Cordelia Slough at Cordelia–Goodyear Ditch (S–97)					
– To become effective either on October 1, 1991 at: Goodyear Slough at the Morrow Island Clubhouse (S–35);					
or on October 1, 1994 at: Goodyear Slough, 1.3 miles south of Morrow Island Ditch (S–75)					
– To become effective on October 1, 1997 at: Suisun Slough, 300 feet south of Volanti Slough (S–42), and					
Water supply intake locations for waterfowl management areas on Van Sickle Island and Chipps Island.					

4. By January 15 of each year, permittee shall provide, either separately or jointly with California Department of Water Resources, a written report to the Board on its progress toward achieving full compliance with this order. (0000700)

Lloyd D. Johnson

Lloyd D. Johnson, Interim Chief
Division of Water Rights

Dated DECEMBER 5 1985

ATTACHMENT A

Permits of the United States Bureau of Reclamation:

Permit 12720 (Application 5625)
Permit 12721 (Application 5626)
Permit 11966 (Application 5627)
Permit 11967 (Application 5628)
Permit 12722 (Application 9363)
Permit 12723 (Application 9364)
Permit 12724 (Application 9365)
Permit 12725 (Application 9366)
Permit 12726 (Application 9367)
Permit 12727 (Application 9368)
Permit 11315 (Application 13370)
Permit 11316 (Application 13371)
Permit 11317 (Application 13372)
Permit 11318 (Application 14662)
Permit 11968 (Application 15374)
Permit 11969 (Application 15375)
Permit 11970 (Application 15376)
Permit 12860 (Application 15764)
Permit 11971 (Application 16767)
Permit 11972 (Application 16768)
Permit 11973 (Application 17374)
Permit 16209 (Application 18721)
Permit 16210 (Application 18723)
Permit 15149 (Application 21542)
Permit 16211 (Application 21636)
Permit 16212 (Application 21637)
Permit 15735 (Application 22316)

For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 15376 Filed June 15, 1953 at 1:54 P.M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED NOVEMBER 28, 1956.

I, U. S. Bureau of Reclamation OVER
Name of applicant

of P. O. Box 2511, Sacramento 11 County of Sacramento
Address

State of California, does hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Trinity River
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Trinity County, tributary to Klamath River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(*a*) For diversion to be directly applied to beneficial use (a) Trinity Dam (b) Lewiston Dam 3525 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(*b*) For diversion to be stored and later applied to beneficial use (a) 1,800,000 acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between January 1 and December 31 of each season.
Beginning date Closing date

NOTE.—Answer (*a*) or (*b*) or both (*a*) and (*b*) as may be necessary. If amount under (*a*) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is power generation
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

4. The point of diversion is to be located (a) Trinity N34°42'E, 2308 feet from (b) Lewiston N73°56'E, 3777 feet from
State bearing and distance or coordinate distances from section or quarter section corner
(a) SW corner of Section 15, T34N, R8W, MDB&M
(b) SW corner of Section 8, T33N, R8W, MDB&M

being within the (a) N½ of SW¼ (b) SW¼ of SE¼
State 40-acre subdivision of public land survey or projection thereof

of Section 8 (15), T. 33N (34N), R. 8W, MD B. & M., in the County of Trinity

5. The main conduit terminates in Spring Creek Powerplant discharging into Keswick Reservoir
NW¼ of SW¼ of Sec. 21, T. 32N, R. 5W, MD B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(*a*) Diversion will be made by ~~pumping~~ from See Supplement
Sump, offset well, unobstructed channel, etc.

(*b*) Lewiston Diversion will be by gravity, the diverting dam being 58 feet in height (stream bed to level of overflow); 715 feet long on top; and constructed of earth and rockfill
Concrete, earth, brush, etc.

(*c*) Trinity The storage dam will be 440 feet in height (stream bed to overflow level); 2430 feet long on top; have a freeboard of 8.0 feet, and be constructed of earth and rockfill
Concrete, earth, etc.

7. Storage Reservoir Trinity Reservoir
Name

The storage reservoir will flood lands in See Supplement
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of 16,600 acres, and a capacity of 2,500,000 acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

93

8. Conduit System (describe main conduits only) See Supplement

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____
(Cross out two not used) (Earth, rock, timber, etc.)

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per 1,000 feet; total fall / lift from intake to outlet _____ feet; kind _____
(Riveted steel, concrete, wood-stave, etc.)

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is Clear Creek Tunnel - 3200 cfs Spring Creek Tunnel - 3600 cfs
(State cubic feet per second or gallons per minute)

The estimated cost of the diversion works proposed is 197,773,000
(Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein)

Completion Schedule

10. Construction work will begin on or before has begun

Construction work will be completed on or before July 1964

The water will be completely applied to the proposed use on or before July 1966

Description of Proposed Use

11. Place of Use. Trinity and Lewiston Dams and powerplants located along main conduits
(State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.)

See Supplement

Do(es) applicant(s) own the land whereon use of water will be made? No (Yes or No) Jointly? _____ (Yes or No)

Contracts will be negotiated with represesentatives of Owners.
(If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.)

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years, including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is _____ acres.
(State net acreage to be irrigated)

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ (Beginning date) and end about _____ (Closing date)

14. Power Use. The total fall to be utilized is See Supplement feet.
(Difference between nozzle or draft tube water level and first free water surface above)

The maximum amount of water to be used through the penstock is under this application 3525 cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is 708,590 horsepower.
(Second feet × fall ÷ 8.8)

The use to which the power is to be applied is For sale except for project operational needs.
(For distribution and sale or private use, etc.)

The nature of the works by means of which power is to be developed is turbine.
(Turbine, Pelton wheel, etc.)

The size of the nozzle to be used is X inches.

The water will / will not be returned to See Supplement (Name stream) in _____ (State 40-acre subdivision) of Sec. _____, T. _____, R. _____, _____ B. & M.

15. **Municipal Use.** This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only

_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

_____

_____

_____

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim

_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will / will not be polluted by chemicals or otherwise _____
Explain nature of pollution, if any

and it will / will not be returned to _____ in _____ of
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, _____ B. & M.

17. **Other Uses.** The nature of the use proposed is _____
Industrial, recreational, domestic, stockwatering, fish culture, etc.

_____

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

_____
industrial use, and unit requirements.

_____

_____

_____

_____

_____

_____

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes. If not, state specifically the time required for filing same. ---
Yes or No

19. Does the applicant own the land at the proposed point of diversion? No. If not, give name and address of owner and state what steps have been taken to secure right of access thereto. Agreements will be made with owners.
Yes or No

20. What is the name of the post office most used by those living near the proposed point of diversion?

Lewiston

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Unknown

_____

_____

_____

11250

[SIGNATURE OF APPLICANT] /s/ A. E. Murray
Acting Regional Director

95

SUPPLEMENT TO APPLICATION NO. 15376

Paragraph 2: THE AMOUNT OF WATER:

A direct diversion of 3,525 c.f.s. will be made through a powerplant located at Trinity Dam. 3,200 c.f.s. of this flow will be diverted at Lewiston Reservoir via Clear Creek tunnel to the Clear Creek powerhouse and Whiskeytown Reservoir. Commingled with Clear Creek water 3,600 c.f.s. will flow via the Spring Creek tunnel to the Spring Creek powerhouse and thence to Keswick Reservoir. A Lewiston powerhouse will utilize flows from Trinity Dam in excess of the 3,200 c.f.s. rediverted at Lewiston to Keswick Reservoir for the generation of power, the downstream release of which waters will be utilized below Lewiston Dam for fish and wildlife propagation and the satisfaction of downstream users. This water will nearly always be the same water utilized for power under this application.

The 1,800,000 acre-feet of water diverted at Trinity for temporary storage will be stored at rates equal to the combined rate of flow of all presently unappropriated flows above Trinity Reservoir at those times when the reservoir is not full and reservoir operation criteria permits storing. Any water temporarily stored and later released in order to provide flood control space in the reservoir will be in addition to the 1,800,000 acre-feet specified in this application, part or all of which may be used for irrigation and municipal and industrial purposes under Applications 15374 and 15375 after its use for power generation. Since Lewiston Reservoir is primarily for diversion and reregulation purposes, the quantity of water in the reservoir will vary several thousand acre-feet within weekly periods; such quantities are considered as temporary storage and are in addition to the 1,800,000 acre-feet applied for in this application.

Paragraph 4: POINTS OF DIVERSION AND REDIVERSION:

Diversion Point	State Coordinates Zone I	Bearing & Distance from Section Corner	Section Corner	Diversion Located Within
Trinity Dam	535,615N 1,788,887 E	N34°42'E 2,308 feet	SW Cor. Sec.15 T34N, R8W	N1/2 of SW-1/4, Sec.15
Lewiston Dam	508,480N 1,780,500E	N73°56'E 3,777 feet	SW Cor. Sec. 8 T33N, R8W	SW1/4 of SE1/4,Sec.8
Whiskeytown Dam	461,580N 1,860,360E	N16° E 2,760 feet	SW Cor.Sec.27 T32N, R6W	NW1/4 of SW1/4,Sec.27
Keswick Dam		S62°38'15" E 1,567.15 feet	W1/4 Cor.Sec. 21 T32N, R5W	NW1/4 of SW1/4,Sec.21

Water stored behind Trinity Dam is released to Lewiston Reservoir where it is diverted, via Clear Creek Tunnel, to Whiskeytown Reservoir, where it is commingled with Clear Creek water and is rediverted, via Spring Creek Tunnel, to Keswick Reservoir where it commingles with Sacramento River water. Releases at Trinity Dam in excess of 3,200 c.f.s. are, to the extent Lewiston storage dictates, to be diverted via Lewiston Dam to the course of the Trinity River below Lewiston Dam.

Paragraph 6: DIMENSIONS OF DAMS:

The dimensions and types of the various diversion and storage dams noted in paragraph 4 are summarized by the following:

Dam	Height (feet)*	Free-board (feet)	Crest length (feet)	Surface Area (acres)	Gross Capacity (acre-feet)	Type
(a) Trinity Dam	440	8'-0"	2,430	16,600	2,500,000	earth &rockfill
(b) Lewiston Dam	58	8'-0"	715**	610	14,000	earth &rockfill
(c) Whiskeytown Dam	260	7'-6"	2,150	3,250	250,000	earth &rockfill
(d) Keswick Dam	118	8'-6"	1,046	640	23,800	concrete

* Height from streambed to maximum storage level.
** Includes spillway.

Paragraph 7: LANDS FLOODED:

The surface area and capacity of the three reservoirs are given in the tabulation shown in paragraph 6.

The sections within which lands will be flooded by each of the reservoirs are as follows:

(a) Trinity: Sections 20, 28, 29, 32, and 33, T37N, R7W. Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15, 16, 17, 20, 21, 22, 28, 29, 32, 33 and 34, T36N, R7W. Sections 4,5,6,7,8,9,17,18,19,20,29,30, T35N, R7W. Sections 13, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, T35N, R8W. Sections 34 and 35, T35N, R9W. Sections 1, 2 and 3, T34N, R9W. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16 and 18, T34N, R8W, MDB&M.

2

15376-2

(b) Lewiston: Sections 21, 22, 28 and 33, T34N, R8W. Sections 4, 5, 6, 7 and 8, T33N, R8W, MDB&M.

(c) Whiskeytown: Sections 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27 and 28, T32N, R6W. Sections 1, 2, 3, 11 and 12, T32N, R7W, MDB&M.

(d) Keswick: Sections 4, 5, 8, and 9, T32N, R5W. Sections 15, 16, 20, 21, 28, 29 and 32, T33N, R5W, MDB&M.

Paragraph 8: CONDUIT SYSTEM:

The dimensions and capacities of the main conduits are as follows:

(a)

Tunnels**	Size	Length	Grade	Capacity c.f.s.	Type
Clear Creek	17'6"	57,000'	3.4'/1000	3,200 max.	Circular-concrete lined
Spring Creek	18'6"	15,400'	4.4'/1000	3,600 max.	Circular-concrete lined

** Pressure tunnels

(b)

Pipelines (Penstocks)	Size	Length
Clear Creek PH	14'3"	2,000'
Spring Creek PH	15'6"	2,000'
Trinity PH	16'0"	1,500'

Paragraph 9: ESTIMATED COST OF THE DIVERSION WORKS:

Trinity Dam and facilities	83,123,000
Whiskeytown Dam and Reservoir	17,921,000
Lewiston Dam and Reservoir	4,541,000
Clear Creek Tunnel	38,540,000
Spring Creek Tunnel	17,841,000
Trinity Powerplant	10,010,000
Clear Creek Powerplant	11,541,000
Spring Creek Powerplant	14,165,000
Total construction cost	$197,773,000

Paragraph 11: PLACE OF USE:

Water appropriated will be utilized through powerplants at the following locations for the production of electrical energy required for domestic, commercial and industrial use within the areas served by those systems interlocked with Central Valley Project in Northern California:

Powerplant	Quarter quarter	Section	Township	Range	Base
Trinity	SW 1/4 of SE 1/4	15	34N	8W	M.D.B.&M.
Clear Creek	NE 1/4 of NW 1/4	11	32N	7W	M.D.B.&M.
Spring Creek	NE 1/4 of SE 1/4	18	32N	5W	M.D.B.&M.
Keswick	NW 1/4 of SW 1/4	21	32N	5W	M.D.B.&M.
Lewiston	SW 1/4 of SE 1/4	8	33N	8W	M.D.B.&M.

Paragraph 14: POWER USE:

Powerplant	Maximum static head (feet)	Maximum flow (c.f.s.)	Maximum theoretical (h.p.)	Point of return (a)
Trinity	468 (b)	3,700	196,770	S1/2SE1/4 Sec.8,T33N,R8W and NW1/4SW1/4 Sec.21, T32N, R5W.
Clear Creek	692 (b)	3,200	251,640	NW1/4SW1/4 Sec.21,T32N, R5W
Spring Creek	636 (c)	3,600	260,180	NW1/4SW1/4 Sec.21,T32N, R5W.
	1,796		708,590	
Keswick	101	13,800	158,000	Point of return
Lewiston	58	500	3,295	Point of return

(a) Projected townships.
(b) With full reservoirs.
(c) With full Whiskeytown Reservoir and normal minimum in Keswick Reservoir.

Under this application upward to 3,525 c.f.s. of water would flow through the penstocks of Trinity Dam powerplant to fall a maximum of 468 feet, developing (theoretically) 187,466 h.p. Water will be returned to the Trinity River and flow into Lewiston Reservoir.

Upward to 3,200 c.f.s. of water will be rediverted from the Lewiston Reservoir to fall a maximum of 1,328 feet in the tunnels and penstocks of the main conduit leading from Lewiston Reservoir to Keswick Reservoir on the Sacramento River. This quantity of water is

24

15376-4

theoretically capable of generating 482,910 h.p. but due to friction losses in the 72,400 feet of tunnel the actual generating capacity of the two powerplants to be installed along this conduit will be considerably less. Trinity water within the Keswick Reservoir when used through the Keswick Dam powerplant would be theoretically capable of generating 158,000 h.p.

Upward to about 325 c.f.s. of water will flow from the Lewiston Reservoir through a powerhouse to be ultimately located at Lewiston Dam. This water will fall a maximum of 58 feet and would be theoretically capable of generating 2,140 h.p. This water, together with the 175 c.f.s. of application 16768 would be returned to the Trinity River immediately downstream from the Lewiston Dam.

October 1 through October 31 - 200 cfs

November 1 through November 30 - 250 cfs

December 1 through December 31 - 200 cfs

January 1 through September 30 - 150 cfs

Any water released through said Lewiston Dam for use in the fish hatchery now under construction adjacent thereto shall be considered as partial fulfillment of the above schedule.

9. Permittee shall release sufficient water from Trinity and/or Lewiston Reservoirs into the Trinity River so that not less than an annual quantity of 50,000 acre-feet will be available for the beneficial use of Humboldt County and other downstream users.

10. This permit shall be subject to the prior rights of the county in which the water sought to be appropriated originates to use such water as may be necessary for the development of the county, as provided in Section 10505 of the Water Code of California.

11. The Board retains continuing jurisdiction for the purpose of coordinating terms and conditions with other applications of the United States in furtherance of the Central Valley Project including but not limited to Applications 5625, 5626, 9363, 9364, 9365, 9366, 9367, 9368 and 10588, when acted upon, and for a period of two years thereafter, which period may be extended upon hearing and further order of the Board.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

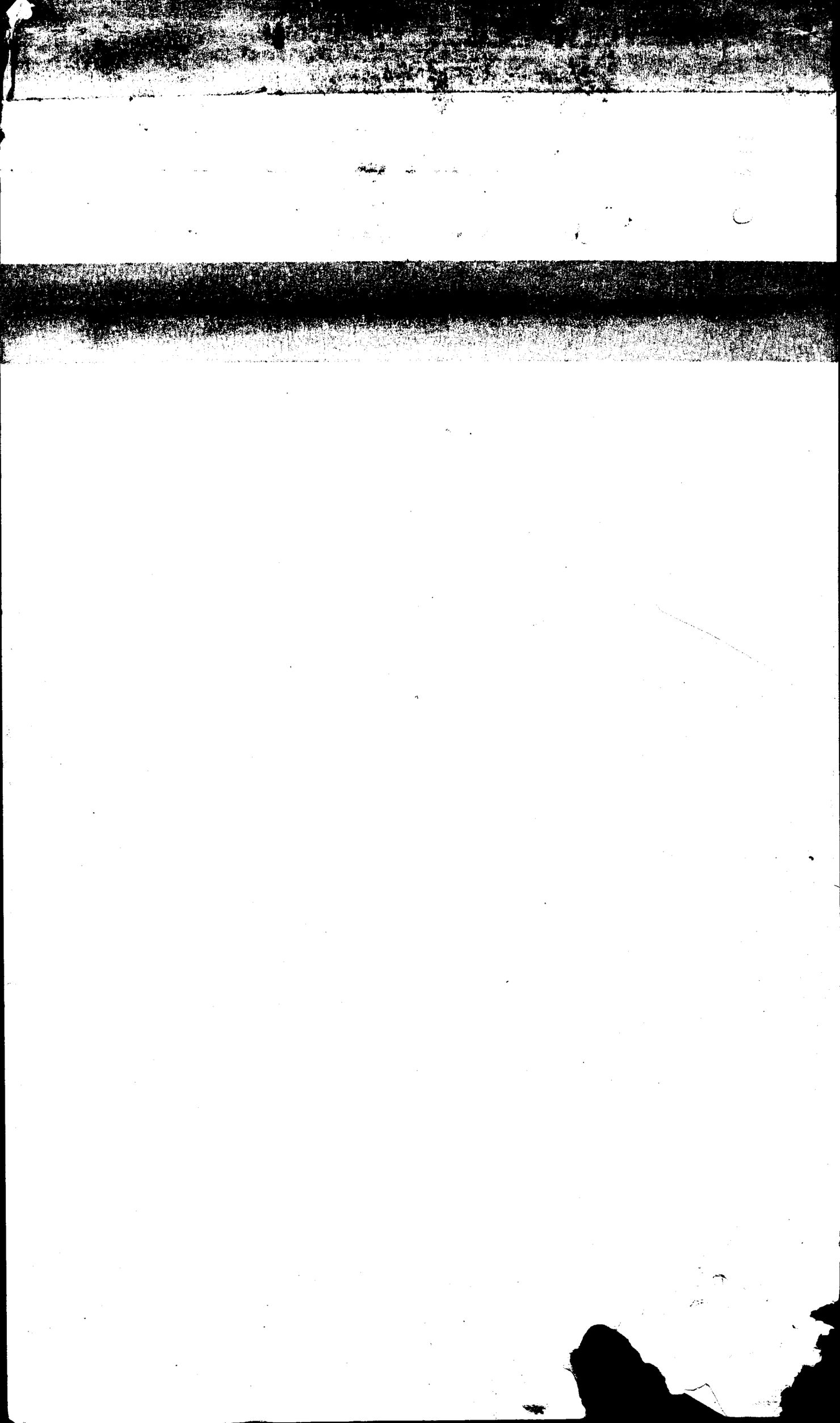
Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: SEP 16 1959

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill
Executive Officer



PERMIT No. 11970

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used and shall not exceed 3525 cubic feet per second by direct diversion to be diverted from January 1 to December 31 of each year and 1,800,000 acre-feet per annum by storage to be collected between January 1 and December 31 of each year; all as more explicitly set forth in Paragraph 2 of the supplement to this approved application. The amount of water diverted under this permit and permits issued pursuant to Applications 5627 and 16768 shall not exceed a total of 2,500,000 acre-feet per annum by storage and 3700 cubic feet per second by direct diversion.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Construction work shall be completed on or before December 1, 1964.

4. Complete application of the water to the proposed use shall be made on or before December 1, 1990

5. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

6. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

7. Permittee shall maintain a daily record of inflow into and outflow from Trinity Reservoir, volumes in storage and water surface elevations. Permittee shall maintain like records with respect to Lewiston Reservoir. Permittee shall provide and maintain such measuring facilities as may be necessary for the formulation of said records. Permittee shall make said records of inflow, outflow, volumes in storage and water surface elevations available to the State Water Rights Board and shall allow authorized representatives of said Board access to its project works and properties for the purpose of securing supplemental information.

8. Permittee shall at all times bypass or release over, around or through Lewiston Dam the following quantities of water down the natural channel of Trinity River for the protection, preservation and enhancement of fish and wildlife from said dam to the mouth of said stream;

96

IMPORTANT

[Please Read Carefully]

1. *Note the terms and conditions of this permit.* Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
2. Neither this application nor the permit is a water right, but *if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water*—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
3. *No change in point of diversion, or place of use or character of use, can be made under this application and permit* without the approval of the State Water Rights Board.
4. *If the rights under this permit are assigned* immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
5. *Please advise immediately of any change of address.* Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

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